UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION DOCKET NO. 1:15-cv-00027-MOC

GERALD ROBINSON,)	
Plaintiff,)	
v.)	ORDER
NANCY A. BERRYHILL, Acting Commissioner of Social Security)	
Defendant.)	

THIS MATTER is before the court on the plaintiff's Motion for Attorney's Fees under \$406(b) of the Social Security Act (#21). By Response filed on March 2, 2017, the Commissioner advised that she has neither an objection to an award of attorney fees in the amount of \$7,900.88, nor does she support the Motion. (#22). The Commissioner also notes the smaller of the two fees must be remitted to the plaintiff. (#22). Having considered the motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that Motion for Attorney's Fees under §406(b) of the Social Security Act (#21) is **GRANTED** to the extent that counsel for plaintiff is entitled to be paid the sum of \$7,900.88 for attorney fees. The plaintiff's counsel will return to the plaintiff the \$4,347.00 that she received in EAJA fees upon award and receipt of these fees.

Signed: March 13, 2017

Max O. Cogburn Jr United States District Judge